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10/059,074	01/28/2002	Gary L. Clement	GP-301227	5736

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CHRISTOPHER DEVRIES
General Motors Corporation
Legal Staff, Mail Code 482-C23-B21
P.O. Box 300
Detroit, MI 48265-3000

EXAMINER
RIMELL, SAMUEL G

ART UNIT	PAPER NUMBER
2164	

DATE MAILED: 12/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	**Applicant(s)**
Office Action Summary	10/059,074	CLEMENT ET AL.
	Examiner	**Art Unit**	
	Sam Rimell	2164	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-7 and 10-21* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-7, 10-21* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7, 10-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Csipkes et

al. (U.S. Patent 6,188,402).

Claim 1:   FIG. 1 discloses an apparatus (101) used in support of a procedure. The data

which is illustrated in the screen displays of FIGS 4- 9 are stored in the memory of the assembly

plant network computers connected to the computer (101) (col. 3, lines 8-13).

As seen in FIGS. 6(B) and FIG. 7, the memory includes performance support data. That

data includes: (1) action data ("STEP 12" in FIG. 6B); (2) Resource Data ("Ensure excess wiring

is clipped at ends after soldering" in FIG. 6B); (3) Reference data ("Terminal" button in FIG. 7

that allows user to connect to external computer system); (4) Procedure Data ("Make a 5 coil

inductor 24 AWG black stripped and install at L19" in FIG. 6B); and (5) Assembly Data (image

diagram on right side of display in FIG. 6B).

The processor is the processor in computer (101) which can retrieve data from the

memory of the assembly plant network computers (col. 3, lines 8-13) and assemble the data into

the displays of FIGS. 4-9. The processor communicates with a both an intranet (plant network,

col. 3, line 10) and the Internet ("global downloading" achieved via the Internet, col. 3, line 11).

Computer networks inherently operate using programming languages, such as HTML on the

Internet and intranets connected to the Internet.

The displays of FIGS. 4-9 are graphical user interfaces which are navigable by a web browser system (See browsing buttons "Next" and "Prev" in the upper portions of FIGS. 5A and 6A, for example). FIG. 7 illustrates an administrator interface. The administrator interface can create or remove the data shown in FIGS. 4-9 by allowing a user to login (create a display of data) or logoff (remove a display of data). The login and logoff is accomplished by the "New Operator" button (col. 7, lines 18-20).

Claim 2: The action data is an individual line of data. Any individual grouping of data is readable as a data object. The action data line describes one step in the procedure.

Claim 3: The resource data are lines of text in a text box. Any individual grouping of data is considered to be a data object.

Claim 4: The reference data is the radio button "Terminal" in FIG. 7. A radio button is readable as a data object. The "Terminal" button allows the user terminal (101) to call up the address of another computer in the network in order to communicate with that computer (col. 7, liens 15-18).

Claim 5: The procedure data is an individual grouping of data in FIG. 6B. An individual grouping of data is readable as a data object. The procedure data provides a series of instructions ("make a 5 coil inductor" and "install at L19").

Claim 6: The assembly data is the right portion of FIG. 6B. The assembly data includes two data objects (an image and a group of text adjacent the image). The assembly data visually represents the procedure.

Claim 7: The administrator interface is FIG. 7. It allows a user to create data objects by logging into the system and displaying those objects (using the "New Operator" button). It

allows a user to terminate to those objects by logging off. The administrator interface of FIG. 7

is menu driven and includes a menu of choices.

Claim 10:   FIGS 6B and 7 are graphical user interfaces (GUIs) that permit user

interaction. A GUI is, by definition, a user interface.

Claim 11: See remarks for claim 1.

Claim 12: The administrator interface is shown in FIG. 7. It includes multiple functions

activated by radio buttons.

Claim 13: See remarks for claim 10.

Claim 14: Any of the radio buttons in FIGS 6B and FIG. 7 activate user functions.

Claim 15: See remarks for claim 2.

Claim 16:   See remarks for claim 3.

Claim 17: See remarks for claim 4.

Claim 18: See remarks for claim 5.

Claim 19: See remarks for claim 6.

Claim 20: See remarks for claim 7.

Claim 21: For the memory, processor and display, see remarks for claim 1. For the

action data, resource data, reference data, procedure data and assembly data, see remarks for

claims 2-6.

Remarks

Applicant's arguments and amendments have been considered.

Applicant's arguments and amendments have overcome the rejections under 35 USC 112,

second paragraph.

Applicant's arguments and amendments have not overcome the application of the Csipkes et al. reference under 35 USC 102.

Applicant argues that the reference to Csipkes et al. does not teach a browser which interprets a programming language. This argument is not correct. Browsers are shown in FIGS. 5A and 6A as graphical user interfaces that can browse through information using commands such as "Next" and "Previous". A browser inherently interprets the programming language with which it communicates. For example, if the browsers are connected to the Internet (suggested at col. 3, line 1), the browser will utilize either HTML or XML, which are standard programming languages deployed on the Internet. The browser also inherently communicates with any language deployed on the local intranet system, which may also be HTML or other specific standard selected for that intranet. Examiner maintains that a browser inherently operates using a programming language, as a browser cannot operate without using a programming language.

Applicant also argues that Csipkes et al. does not teach the usage of an intranet or the Internet. This argument is not correct. Csipkes et al., clearly teaches the usage of an intranet (plant network) at col. 3, line 10 and Internet (global downloading) at col. 3, line 11.

Applicant further argues that Csipkes et al. does not disclose an intranet to "assemble" performance support data. This argument is moot as the claims do not recite such a requirement as described by applicant. Claim 11 does not make any requirement as to which structure perform the assembling step. Claims 1 and 21 state the assembling step is performed by the processor and not by one of the networks. The processor in Csipkes et al. generates the graphical displays on a local intranet computer, and thus the processor assembles the various data together.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (571) 272-4084.

Sam Rimell
Primary Examiner
Art Unit 2164